

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ESTATE OF RAYMOND J.
GUZIEWICZ and STEVEN J.
GUZIEWICZ, Individually and as the
Administrator of the Estate of
Raymond J. Guziewicz,

Plaintiffs,

v.

RENEE P. MAGNOTTA,,

Defendant.

CIVIL ACTION NO. 3:14-cv-01742
(JUDGE CAPUTO)

(MAGISTRATE JUDGE
SAPORITO)

ORDER

NOW, this 30th day of September, 2016, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 35) is **ADOPTED IN PART and REJECTED IN PART**.
- (2) Defendant's Motion to Dismiss Counts III, IV, and V of Plaintiffs' Complaint is **DENIED**.
- (3) Defendant's Motion to Dismiss Count VI of Plaintiffs' Complaint is **GRANTED**.
The claims in Count VI are **DISMISSED with prejudice**.
- (4) The matter is **RECOMMITTED** to Magistrate Judge Saporito for further proceedings.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge